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NOTICE OF ALLOWANCE AND FEE(S) DUE

29122

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06/26/2007

ALSTON & BIRD LLP PIONEER HI-BRED INTERNATIONAL, INC. BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000 EXAMINER

KRUSE, DAVID H

ART UNIT

PAPER NUMBER

2685

1639

DATE MAILED: 06/26/2007

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.

10/795,931

03/08/2004

Gurmukh S. Johal

035718/275581

TITLE OF INVENTION: ISOLATED NUCLEIC ACID MOLECULES ENCODING THE DW3 P-GLYCOPROTEIN OF SORGHUM AND METHODS

OF MODIFYING GROWTH IN TRANSGENIC PLANTS THEREWITH

APPLN, TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	00/26/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW

HOW TO REPLY TO THIS NOTICE:

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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where

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ALSTON & BIRD LLP PIONEER HI-BRED INTERNATIONAL, INC. BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000 APPLICATION NO. FILING DATE APPLICATION NO. FILING D					Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.			
CHARLOTTE, NC 28280-4000 APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/795,931 03/08/2004 Gurmukh S. Johal 035718/275581 2685 TITLE OF INVENTION: ISOLATED NUCLEIC ACID MOLECULES ENCODING THE DW3 P-GLYCOPROTEIN OF SORGHUM AND METHODS OF MODIFYING GROWTH IN TRANSGENIC PLANTS THEREWITH APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1400 \$300 \$0 \$1700 09/26/2007 EXAMINER ART UNIT CLASS-SUBCLASS KRUSE, DAVID H 1638 435-006000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563). Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached. "Fee Address" indication for "Fee Address" Indication form PTO/SB/122) attached. "Fee Address" indication for "Fee Address" Indication form PTO/SB/123 patched. "Change of correspondence address (or Change of Correspondence Address frequired. Address from PTO/SB/122) attached. "Gepeited Total Fee (No. Shall entity of the DW3 P-GLYCOPROTEIN OF SORGHUM AND METHODS ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Govern Andrews of the patent of Fee (No. small entity discount permitted) Advance Of Copies	ALSTON & BIR PIONEER HI-BRI BANK OF AMER	D LLP ED INTERNATION ICA PLAZA	ONAL, INC.	I I St ad tra	Certi tereby certify that this ates Postal Service wi dressed to the Mail insmitted to the USPT	ficate of Mailing or Tran: Fee(s) Transmittal is bein th sufficient postage for fi Stop ISSUE FEE address O (571) 273-2885, on the o	smission In deposited with the United state class mail in an envelope above, or being facsimile date indicated below.	
APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/795,931 03/08/2004 Gurmukh S. Johal 035718/275581 2685 TITLE OF INVENTION: ISOLATED NUCLEIC ACID MOLECULES ENCODING THE DW3 P-GLYCOPROTEIN OF SORGHUM AND METHODS OF MODIFYING GROWTH IN TRANSGENIC PLANTS THEREWITH APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1400 \$300 \$0 \$1700 09/26/2007 EXAMINER ART UNIT CLASS-SUBCLASS KRUSE, DAVID H 1638 435-006000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 1. Change of correspondence address of redication of "Fee Address" indication for "Fee Address" indicat							(Depositor's name)	
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EXAMINER ART UNIT CLASS-SUBCLASS KRUSE, DAVID H 1638 435-006000 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorneys or agents or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorneys or agents. If no name is listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been fill recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Govern A check is enclosed. Publication Fee (No small entity discount permitted) Publication Fee (No small entity discount permitted) Advance Order- # of Copies	APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	FEE TOTAL FEE(S) DUE	DATE DUE	
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5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).	a. Applicant claims SM	MALL ENTITY status	s. See 37 CFR 1.27.	b. Applicant is no los	nger claiming SMALL	ENTITY status. See 37 Cl	FR 1.27(g)(2).	
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other painterest as shown by the records of the United States Patent and Trademark Office.	NOTE: The Issue Fee and Puinterest as shown by the reco	ublication Fee (if requireds of the United State	ired) will not be accepted es Patent and Trademark	from anyone other than	the applicant; a registe	ered attorney or agent; or th	ne assignee or other party in	
Authorized Signature Date	Authorized Signature			***	Date			
Typed or printed name Registration No	Typed or printed name	=			Registration No.			
This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to propose an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to conthis form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.	,							

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/795,931	03/08/2004	Gurmukh S. Johal	035718/275581	2685	
29122	7590 06/26/2007		EXAM	IINER	
ALSTON & BI	RD LLP		KRUSE, DAVID H		
	RED INTERNATIONA	L, INC.	ART UNIT	PAPER NUMBER	
BANK OF AME		1638			
	101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE NC 28280-4000 DATE MAILED: 06/26/2007				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 436 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 436 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.